

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JERRY LEON DEES, JR.,

Plaintiff,

vs.

**HYUNDAI MOTOR MANUFACTURING
ALABAMA, LLC, and HYUNDAI MOTOR
AMERICA, INC.,**

Defendants.

**CASE NO.
2:07-cv-00306-MHT-CSC**

DEFENDANT HYUNDAI MOTOR AMERICA INC.'S MOTION TO DISMISS

Defendant Hyundai Motor America, Inc. ("HMA"), by counsel and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, moves to dismiss all of Plaintiff's claims against it and to dismiss it as a party to this lawsuit. HMA had no relationship – employment or otherwise – with Plaintiff, and none of the claims or allegations in Plaintiff's Complaint pertain to HMA. HMA is not a proper defendant and HMA and the claims against it should be dismissed with prejudice.

The legal authority and argument for this motion are set forth in greater particularity in the accompanying Memorandum in Support of Defendant Hyundai Motor America, Inc.'s Motion to Dismiss and, if this Court deems necessary, a supporting Declaration.

/s/ J. Trent Scofield

J. Trent Scofield (SCO-024)
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Hyundai Motor America, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of May 2007, I electronically filed the foregoing *Defendant Hyundai Motor America, Inc.'s Motion to Dismiss* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: W. Perry Hall, Vincent F. Kilborn, III, David Allen McDonald, and Jeffrey Rayborn Sport.

/s/ J. Trent Scofield

J. Trent Scofield (SCO-024)
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